



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 22 नवम्बर, 1975/1 अग्रहायण, 1897

GOVERNMENT OF HIMACHAL PRADESH

HOME DEPARTMENT

NOTIFICATION

Simla-171002, the 19th November, 1975

No. HOM (A)-A(3)-24/75.—The following ordinance promulgated by the President of India on the 16th November, 1975 is hereby published in the Extraordinary Gazette of Himachal Pradesh:—

“THE MAINTENANCE OF INTERNAL SECURITY (FOURTH AMENDMENT) ORDINANCE, 1975

(No. 22 OF 1975)

Promulgated by the President in the Twenty-sixth Year of the Republic of India.

An ordinance further to amend the Maintenance of Internal Security Act, 1971.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 123 of the constitution, the President is pleased to promulgate the following ordinance:—

Short title
and com-
mencement.

1. (1) This ordinance may be called the Maintenance of Internal Security (Fourth Amendment) Ordinance, 1975.

(2) This section and section 5 shall come into force at once, Section 2 shall be deemed to have come into force on the 25th day of June, 1975 and Sections 3 and 4 shall be deemed to have come into force on the 29th day of June, 1975.

Amendment
of Section 3.

2. In section 3 of the Maintenance of Internal Security Act, 1971 (26 of 1971) hereinafter referred to as the Principal Act, in sub-section (3), for the words "Twelve Days" at both the places where they occur the words "Twenty Days", and for the words "Twenty two days", the words "Twenty five Days", shall be substituted.

Amendment
of Section 14.

3. In section 14 of the Principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

(2) The expiry or revocation of a detention order (hereafter in this sub-section referred to as the earlier detention order) shall not bar the making of another detention order (hereafter in this sub-section referred to as the SUBSEQUENT DETENTION ORDER) under section 3 against the same person:

Provided that in a case where no fresh facts have arisen after the expiry or revocation of the earlier detention order made against such person, the maximum period for which such person may be detained in pursuance of the subsequent detention order shall, in no case, extend beyond a period of twelve months from the date of detention under the earlier detention order (42 of 1971) or until the expiry of the Defence and Internal Security of India Act, 1971 whichever is later.

Amendment
of Section
16 A.

4. In section 16A of Principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

(2A) If the State Government makes a declaration under sub-section (2) that the detention of any person in respect of whom a detention order is made by an officer subordinate to that Government is necessary for dealing effectively with the emergency. The State Government shall be deemed to have approved such detention order and the provisions of sub-section (3) of section 3 in so far as they relate to the approval of the State Government, and of sub-section (4) of that section shall not apply to such detention order."

5. Any Act or thing done or purporting to have been done, before the commencement of this section, under the Principal Act in respect of any person against whom an order of Detention was made under that Act on or after the 25th day of June, 1975 for all purposes, be deemed to be as valid and effective as if the amendments made to the Principal Act by this Ordinance had been in force at all material times.

Validation.

By order,
U. N. SHARMA,
Chief Secretary.

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Simla-171002, the 19th November, 1975

No. EXN. 3(2)/75.—In exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (Act No. 74 of 1956), the Governor of Himachal Pradesh, being satisfied that it is necessary so to do in the public interest, is pleased to direct that no tax shall be payable by any dealer under clause (b) of sub-section (2) of section 8 of the said Act, in respect of the sale by him, in the course of inter-State trade or commerce, of goods to the United Nations International Emergency Fund for the purposes of the aforesaid institution, subject to the conditions that the dealer selling the goods furnishes to the Assessing Authority a certificate duly filled in and signed by a responsible person on behalf of the institution purchasing goods in the form given below.

CERTIFICATE

Name of issuing Institution.....

To

.....
.....(seller)

Certified that the goods ordered for in our purchase order No..... dated.....purchased from you as per bill/cash memo stated below supplied under your challan No.....dated.....are required for use in our/my aforementioned Institution.

*Signature and status of
person signing the Certificate.*

Particulars of cash memo/bill.....dated.....No.....
Amount.....

Strike out whichever is not applicable.

P. K. MATTOO,
Secretary.

